



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Examiner: Unknown
John R. Graber Jr.)	
)	Art Unit: 3748
Serial No.: 10/021,974)	
)	
Filed: October 30, 2001)	
)	
For: MULTI-STAGE HELICAL)	
SCREW ROTOR)	
)	
Attorney Docket No.:)	Cleveland, OH 44114
LYB 2 0021-3)	January 18, 2002

REQUEST FOR CORRECTED FILING RECEIPT

PETITION TO ACCORD THE FILING DATE SHOWN ON THE
EXPRESS MAIL LABEL "DATE-IN"

Commissioner For Patents
Customer Service Center
Initial Patent Examination Division
Washington, D.C. 20231

Dear Sir:

The Applicant filed the above-referenced patent application using the standard express mail filing procedure on October 30, 2001. The transmittal letter, the initial information data sheet, and the first page of the patent application (Exhibit 1) were all clearly marked with the express mail label number and the October 30, 2001 deposit date. All of the certificates were appropriately signed.

This is confirmed by the express mail customer copy (Exhibit 2). The information in the section "Origin (Postal Use Only)" was all filled in by the acceptance clerk at the U.S. Post Office. This section also identifies the mailing date as October 30, 2001.

The fact that this patent application was mailed on October 30, 2001 is independently verifiable from the records of the U.S. Postal Service which are accessible on the Internet (Exhibit 3). The records of the U.S. Postal

Service also show that this patent application was accepted at 4:46pm on October 30, 2001.

Although the express mailing labels and the certificate of mailings all clearly identified the mailing date of this patent application as October 30, 2001, the Patent Office Filing Receipt (Exhibit 4) which was mailed January 11, 2002 and received January 15, 2002 listed the filing date as 11/30/01. It is submitted that the filing date on the Patent Office Filing Receipt is a typographical error resulting from a member of the Patent Office staff accidentally double striking the one (1) when entering the month portion of the date. It will be noted that the day and year portion of the date are accurate.

Because the error in the filing date is a result of the Patent Office mistake, it is submitted that no fee is due.

In the alternative, the Applicant's petition to have the above-identified patent application accorded the "Date-In" of October 30, 2001 shown on express mail label EL852764951US. It is contended that the date of 11/30/01 accorded as the filing date of this application by the PTO is not correct.

This discrepancy was discovered upon reviewing the Filing Receipt which was received on January 15, 2002. This Petition is being filed promptly, within three days, of the erroneous Filing Receipt.

A true copy (Exhibit 1) of the first page of the correspondence which was filed which shows both the date on which this correspondence was mailed as express mail label number EL852684951US and that the number of the express mail was placed thereon prior to mailing.

A true copy (Exhibit 2) of the express mail mailing label showing the "Date-In" of October 30, 2001 is attached.

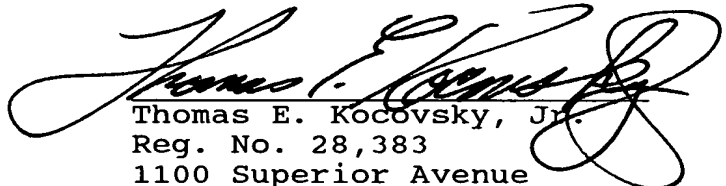
A true copy (Exhibit 3) of the publicly accessible database of the U.S. Postal Service showing that express mail label EL852684951US was accorded a "Date-In" of October 30, 2001.

Because the error in according the filing date was solely due to Patent Office error, it is submitted that no fee is due. If, it should be determined that the 37 C.F.R. 1.17(h) fee should be accessed against the Applicant for correcting this Patent Office error, that authorization is given to charge Deposit Account No. 06-0308. Please charge any additional fees which may be required by this paper and credit any overpayment to the Deposit Account No. identified above.

A duplicate copy of this paper is attached.

Respectfully submitted,

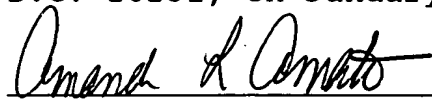
FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Thomas E. Kocovsky, Jr.
Reg. No. 28,383
1100 Superior Avenue
7th Floor
Cleveland, OH 44114-2518
216/861-5582

CERTIFICATE OF MAILING

I hereby certify that this **Request for Corrected Filing Receipt and Petition to Accord the Filing Date Shown on the Express Mail Label "Date-in"** in connection with U.S. Patent Application Serial No. 10/021,974 is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on January 18, 2002.



Amanda L. Amato

RECEIPT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
J. GRABER, JR.

) Examiner: Unknown

Serial No.: 10/021,974

) Art Unit: 3748

Filed: October 30, 2001

For: MULTI-STAGE HELICAL
SCREW ROTOR

Attorney Docket No.:
LYB 2 0021-3

) Cleveland, OH 44114
) February 26, 2002



STATEMENT REGARDING USPS MAIL DELAYS

Assistant Commissioner
for Patents
Washington, D. C. 20231

Dear Sir:

The enclosed documents: REQUEST FOR CORRECTED FILING RECEIPT PETITION TO ACCORD THE FILING DATE SHOWN ON THE EXPRESS MAIL LABEL "DATE-IN" (W/EXHIBITS 1-4) were mailed to the U.S. Patent and Trademark Office (USPTO) on the date of the certificate of mailing, i.e., JANUARY 18, 2002. Because the mail screening and treatment process obliterated the mailing label, this information was returned to our offices on FEBRUARY 25, 2002.

Please note that in an effort to aid and expedite the proper delivery of mail to the Patent Office, the Applicant has now changed to pre-printed address labels the Assistant Commissioner for Patent, Washington, DC 20231-9999. It is believed that the new pre-printed address labels will not be obliterated by the mail screening and treatment process.

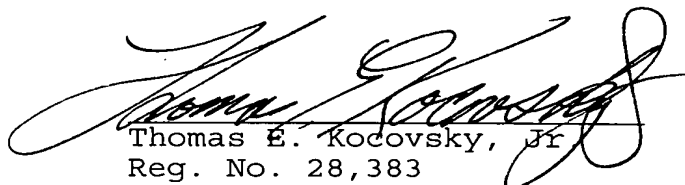
Pursuant to the OG Notice entitled "Processing of, and Requirements for, the Filing of Duplicate Applications and Papers in Patent Applications in view of USPS Mail Delays," Section II.B., Applicant respectfully



requests that the USPTO shall accept all of these documents as to have been timely filed.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP


Thomas E. Kocovsky, Jr.
Reg. No. 28,383
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2518
(216) 861-5582

CERTIFICATE OF REMAILING

I hereby certify that this STATEMENT REGARDING USPS MAIL DELAYS; and ALL ORIGINAL DOCUMENTS INCLUDING THE REQUEST FOR CORRECTED FILING RECEIPT PETITION TO ACCORD THE FILING DATE SHOWN ON THE EXPRESS MAIL LABEL "DATE-IN" (W/EXHIBITS 1-4); RETURN RECEIPT POSTCARD; and THE ORIGINAL MAILING ENVELOPE in connection with U.S. Patent Application Serial No. 10/021,974 are being redeposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on this 26th day of February, 2002.

By: Shelley McNulty



LYB 2 0021-3

"Express Mail" Mailing Label Number: EL852684951US

Date of Deposit: OCTOBER 30, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

Assistant Commissioner for Patents Washington, D.C. 20231.

Hilary McNulty
By: Hilary M. McNULTY

MULTI-STAGE HELICAL SCREW ROTOR

This application is a continuation-in-part of U.S. Application Serial No. 09/691,009, filed October 18, 2001, now abandoned.

Background of the Invention

5 The present invention relates to the vacuum pump arts. It finds particular application in a helical screw rotor vacuum pump.

10 Screw vacuum pumps include two pairs of helical rotors attached to shafts which are driven at high speed by an electric motor positioned below the shafts. The rotors have a plurality of teeth on their edge or arrayed on one or both of their faces and, in use, the teeth rotate within a pumping chamber and urge molecules of gas being pumped through the pumping chamber.

15 A gearbox is usually positioned at the driven end of each shaft. The gearbox contains the shaft ends, bearings within which the shaft rotates, any timing gears and the motor positioned about the driven shaft.

20 Oils and/or greases associated with lubrication of the gearbox need to be contained and isolated within the gearbox. This is to ensure cleanliness and prevent non-contamination of the gases being pumped in the pumping chamber and to avoid the possibility of transfer of such contamination back into the enclosure being evacuated.

UTILITY PATENT APPLICATION TRANSMITTAL LETTER

The Assistant Commissioner
For Patents
Washington, D.C. 20231



Transmitted herewith for filing in the patent application of:

John R. GRABER

For: MULTI-STAGE HELICAL SCREW ROTOR

Enclosed are:

- [XX] 22 pages of specification: 13 pages description; 8 pages claims; 1 page abstract.
- [XX] 12 sheets of drawing(s) including FIGURES 1-3.
- [XX] A Declaration for Patent Application.
- [XX] An Assignment of the invention to LEYBOLD SEMICONDUCTOR VACUUM SOLUTIONS.
- [] A Request & Certification Under 35 U.S.C. 122(b) (2) (B) (i).
- [XX] Utility Patent Application Initial Information Data Sheet.
- [XX] A Form PTO-1449 and 14 references.

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
TOTAL CLAIMS	47 - 20 =	27	[XX] \$18 LARGE [] \$ 9 SMALL	\$ 486.00
INDEPENDENT CLAIMS	5 - 3 =	2	[XX] \$84 LARGE [] \$42 SMALL	\$ 168.00
BASIC FEE	[XX] LARGE ENTITY \$740 [] SMALL ENTITY \$370			
TOTAL FILING FEE				\$ 1,394.00

☐ Please charge Deposit Account No. 06-0308 in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which
may be required at any time during the prosecution of this application
without specific authorization, or credit any overpayment to Deposit Account
No. 06-0308. A duplicate copy of this sheet is enclosed.

☒ A check in the amount of \$ 1,394.00 to cover the filing fee is enclosed.

30 Oct 2001
Date

Attorney of Record

Thomas E. Kocovsky, Jr.
Reg. No. 28,383
FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2518
(216) 861-5582

"Express-Mail" Mailing Label Number: EL852684951US

Date of Deposit: OCTOBER 30, 2001

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By: Hilary M. McNULTY



EXPRESS MAIL
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PO ZIP Code: 44115
Date In: 10/30/01
Time In: 10:46 AM
Day of Delivery: ☒ Next ☐ Second
Flat Rate Envelope: ☐
Postage: \$ 19.13
Return Receipt Fee: \$ 19.13
Weight: 2.33 lbs.
Dimensions: 10x4x6
Delivery: ☒ No Delivery ☐ Weekend ☐ Holiday
Acceptance Clerk Initials: [Signature]
MKT Alpha Country Code: [Blank]
COD Fee: [Blank]
Insurance Fee: [Blank]
Total Postage & Fees: \$ 19.13

CUSTOMER USE ONLY
METHOD OF PAYMENT: X441972
Express Mail Corporate Acct. No.: [Blank]
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CLEVELAND OH 44114-2518
PHONE: [Blank]



EL 852684951 US

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LIABILITY OF SIGNATURE
The signature of the addressee is required for delivery of insured mail. If the addressee's signature is not provided, the carrier will attempt to deliver the mail to the addressee's residence. If the addressee's signature is not provided, the carrier will attempt to deliver the mail to the addressee's residence. If the addressee's signature is not provided, the carrier will attempt to deliver the mail to the addressee's residence.

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TO: (PLEASE PRINT)
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Customer Copy
Label 11-F August 2000

F02
T23

785

UTILITY PATENT APPLICATION INITIAL INFORMATION DATA SHEET

The Assistant Commissioner
For Patents
Washington, D.C. 20231

Inventor Information

Inventor One Given Name:: John R.
Family Name:: GRABER, Jr.
Postal Address Line One:: 4031 Holiday Park Drive
City:: Murrysville
State or Province:: PA
Postal or Zip Code:: 15668

Correspondence Information

Name Line One:: Thomas E. Kocovsky, Jr.
Name Line Two:: FAY, SHARPE, FAGAN,
Name Line Three:: MINNICH & MCKEE, LLP
Address Line One:: 1100 Superior Avenue
Address Line Two:: Seventh Floor
City:: Cleveland
State or Province:: OH
Postal or Zip Code:: 44114-2518
Telephone One:: (216) 861-5582
Fax:: (216) 241-1666
Electronic Mail:: TKocovsky@faysharpe.com

Representative Information

Registration Number:: 28,383

Application Information

Title Line One:: MULTI-STAGE HELICAL SCREW ROTOR
Total Drawing Sheets:: 12
Formal Drawings?:: Yes
Small Entity?:: No
Application Type:: Utility
Docket Number:: LYB 2 0021-3

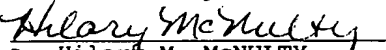
Continuity Information

This application is a:: Continuation-in-Part of
Application One:: 09/691,009
Filing Date:: October 18, 2000

"Express Mail" Mailing Label Number: EL852684951US

Date of Deposit: OCTOBER 30, 2001

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By: Hilary M. McNULTY

**RECEIVED**

JAN 15 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLPCOMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/021,974	11/30/2001	3748	1394	LYB 2 0021-3 3	12	47	5

CONFIRMATION NO. 2485

FILING RECEIPT

OC000000007300004

Thomas E. Kocovsky, Jr.
FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP
Seventh Floor
1100 Superior Avenue
Cleveland, OH 44114-2518

Date Mailed: 01/11/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John R. Graber JR., Murrysville, PA;

Assignment For Published Patent Application

LEYBOLD SEMICONDUCTOR VACCUM SOLUTIONS;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/691,009 10/18/2000

Foreign Applications

If Required, Foreign Filing License Granted 01/11/2002

Projected Publication Date: 04/25/2002

Non-Publication Request: No

Early Publication Request: No

Title

Multi-stage helical screw rotor

"DOCKETED"

Preliminary Class

418

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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